APRIL 2024

THE BREEZE

A quarterly newsletter celebrating 75 yrs. of life & living in Surf Pines, the largest gated community on the Northwest Oregon Coast

"In front of Surf Pines...crabbers in the distance"

(Photo credit: Julia Radditz, 3/24/24))

THE PRESIDENT'S MESSAGE

by John Yerke

Fellow Surf Pines Homeowners,

Pump System:
Many SP homeowners are aware that we have a sophisticated pumping system to manage the groundwater and prevent flooding of Ocean Dr. In 1999, SP had extensive flooding **(photo below)** from record rainfall on Ocean from Horizon south.

IN THIS ISSUE

PRESIDENT'S MESSAGE

KEN'S CORNER

ROADS & GROUNDS COMMITTEE

COMMUNITY RELATIONS UPDATE

ART WALK PREVIEW

FINANCE UPDATE

SECRETARY REPORT

RADDITZ REAL ESTATE MARKET WATCH

WHO'S NEXT DOOR?

In 2000, **SP spent $500,000 to engineer and install culverts** (under Horizon, High Surf and Ocean where it goes up to Manion) and 3 pumping stations (one with duplex pumps on Horizon, **see photo below [LEFT]**), one about 1/3 of the way from High Surf to where Ocean goes up the hill to Manion and one south of where Ocean goes up the hill).

Each of the pumping systems has an infiltration line west of Ocean in the dunes that allows absorption of pumped water into the ground. The infiltration field for the duplex system has two 80-foot-long lines; the other two are 160 feet long. At the end of each infiltration line is a flapper valve meant to keep the lines secure and provide an escape for water when an infiltration line is overburdened.

We lack appropriate documentation for the management of the system and have never performed any significant maintenance other than Ken cleaning vegetation from the pump stations. The current situation is that at least the two Horizon perforated infiltration lines adjacent to Trail 4 (**see photo below, RIGHT**) are plugged, the flapper valves are corroded, and the culverts are plugged. Ordinarily, water would work its way south from the Horizon pump station to the next two pump stations. The plugged culverts, miscellaneous private property backfill, and sand accumulation negate this now. Significant rain this year, coupled with the described issues mentioned, means any pumping from the Horizon station quickly floods a large area on Trail 4, making it impassable while pumping. This has resulted in Ken pumping mostly at night to avoid blocking that trail.

We have talked with project engineers and the construction company involved in the original project to better understand our system plus several local contractors. Interestingly, one of the design engineers did not advocate the pump station. He opined that the culverts would suffice. **We have identified local contractors to replace the flapper valves and high pressure clean the infiltration lines**. Part of this work requires grading the area adjacent to flapper valves to restore the approximate two feet of free space between the ground and discharge. The flapper valves must be kept at the same level. Raising them will decrease the flow by approximately 75 gallons per minute. **This summer we will unplug the culverts, pull the pumps to inspect the impellers and thoroughly clean the sumps**. Finally, we will establish a detailed maintenance program.

Horizon pumping station

Horizon drain field on Trail 4

I appreciate the assistance from Margaret Simmons-Cross and Ken in addressing this problem. The seriousness is profound, and the consequences severe. Without their input, we would not have made satisfactory progress.

Short-Term Rentals:
Recently, most, if not all homeowners received a letter contesting the legality of a section of "our Bylaws: **'Article 9 Use Restrictions, Enforcement, 9.1 Residential Use. Each Lot may be used only for one single-family residence**.' This is clear that homes in SP are for residential use only." Placidly, this is directed at the BOD to vacate short-term rentals (STRs) from SP. Here are four key points:

1. The **BOD cannot advocate or oppose STRs**. The BOD is bound by our governing documents.

2. The phrase cited in the letter refers to Bylaws. **This phrase is not in our Bylaws, rather, it is in in our Declarations** (or CCR's). There is a significant difference. **Bylaws** primarily dictate how the **BOD operates. Declarations** dictate **property rights**. **Amending Bylaws requires at least 50% approval by a quorum (20% of members). Amending our Declarations requires 75% approval of all members.**

3. In 1997, the **Oregon Supreme Court ruled in Yogman v. Parrott that if you want to ban STRs, that prohibition must be "plainly" within the CCR's**, meaning there needs to be a clear and unambiguous prohibition of STRs. The restriction to one single family detached residence simply means that lot owners cannot use it for duplexes or other multifamily structures.

4. If SP wants to ban or regulate STRs, at **least 20% of the homeowners should petition the BOD to place it on a ballot for all homeowners to decide. To pass, 75% of all homeowners must approve.**

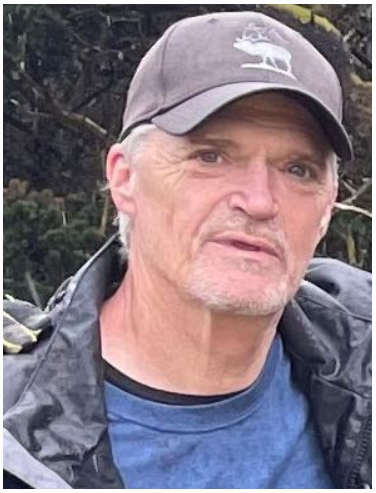
No Trespassing Signs and Oregon Parks and Recreation:
Recently, the Oregon Parks and Recreation Department issued a compliance request to SP **(see photo, right)** regarding the removal of our path trailhead markers. Tom Smith and Ken have met with the citing officer to better understand this. It relates to a **1967 Oregon Beach Access law that established a Statutory Vegetation Line that is about 600 feet east of the beach**. This will apply to any signs in that area. In that area no one can place signs. Tom and Ken are working to better understand this and will follow up with more information.

Photo credit: Sandie Eide (with Bailey the Irish Wolfhound)

Best Regards,
John Yerke

KEN'S CORNER

by Ken Weist



Gate Entry Protocol. We still have residents policing the gates. When you come through the gates, **please do not prevent others from entering**. You can't possibly know who has a gate remote. Many residents stop after entering to prevent others from entering. This is causing conflict. **The gates are for traffic control--<u>not security</u>**. We have cameras at each gate for security purposes. Every individual that has hit gate arms trying to follow others into SP has paid a very large expense for their mistake. So, as much as I appreciate the gate support, I do not want residents fighting. **When you go through gates, just keep driving please!**

Trash. Residents are still putting their trash out several days before trash service. Trash cans should be put out **no sooner than Thursday, late afternoon**. Trash and recycling are picked up on Friday's.

Dog Waste. Residents I need your help. What upsets me when I'm landscaping is the dozens of piles of dog waste that I've stepped in and have had my body showered with recently when weed whacking. It has gotten worse. I'm angry at those who refuse to pick up after their dogs. It's not my responsibility. **I'm asking residents and rental owners especially to pick up dog poop!** If you see a dog pooping and it doesn't get picked up, call the owner out or call me.

Speeding. It is on the rise in SP again. I've had to warn several people recently about this problem. We are going to have a tragedy in SP if the speeding doesn't stop. We have more children living here--that should be enough reason to slow down! I do appreciate feedback from the many residents that have reported speeding, and I will continue to ask for your attention to this matter.
<u>PLEASE DRIVE SLOWLY!</u>

SP gates are for <u>traffic control</u>, NOT security

Shoulder Parking. There is no parking allowed overnight on the shoulders of SP streets. We DO allow contractors/landscapers to utilize shoulders during contractor hours. But residents, renters and all guests are **not to park on shoulders without prior consent from the BOD**. I will start putting **tow notices on all unauthorized vehicles.**

In closing, I would like to state that I serve all of SP and everything that our community represents. I do not serve any one individual, nor do I show favoritism. I'm entering my 7th year in this very unique job. I'm only a resident by employment. Therefore, I am, like Switzerland, always neutral concerning the community. Many residents feel I'm here to serve their cause. This simply isn't the case. My opinions are just my opinions. I represent SP 24 hours a day. So, if I don't agree with the hunting of elk in my backyard, that doesn't mean I'm against hunting.

I've been threatened and cursed for a recent interview on the elk hunting topic. My comments were simply my opinion--my truth--and I stand by them. So, if I offended anyone, please understand it wasn't personal.

I look forward to seeing SP at full capacity this summer and visiting with all of you. Thanks for everything Surf Pines!

Ken

In case you were wondering...

Photo credit: Christie Smith (4/11/24)

...There are still Elk in Surf Pines

ROADS & GROUNDS COMMITTEE

by Margaret Simmons-Cross, P.E.

The following summarizes 2024 Q1 actions for the SPA Roads & Grounds (R&G) Committee.

I assumed the committee chair role in January and have hosted two zoom meetings to date. There has been great support from committee members, which I truly appreciate! A summary of projects is outlined below.

A new **prefabricated shed** was permitted, purchased and installed near the south gate **(see photo below)**. The shed will provide additional space for storage of equipment and materials, as well as a place for Ken to work on needed projects. A big thanks to **Mark Miller** for shepherding the project through!

Working with ODOT, we received a **Permit to reconstruct the intersection of Surf Pines Lane and US-101**. Reconstruction is required due to the deteriorated condition of Surf Pines Lane west of US-101. The R&G committee is working on construction documents to bid the work in the Spring, with **work anticipated during the summer.**

The committee is beginning work to refresh the SPA Maintenance Plan and Reserve Study to address funding needed for maintenance needs for our assets such as buildings, roadways and parks. This information will feed into the Annual Budget.

New storage shed near South entry gate

The R&G Committee is considering various means to address the growing issue with sand spurs **(photo, right)** in the park and on the trails. A presentation was made at the March 15 SPA BOD meeting involving the use of an herbicide(Garlon® 4 Ultra) in targeted test areas. Concerns with the use of this herbicide were discussed. The committee will gather more information and consider other options and return to a future BOD meeting. **A final recommendation has not been developed.**

Jon Tullis is sponsoring a proposal for a new play structure for the park **(see photo below)**. He made a presentation on the project at the March SPA BOD meeting. Further **work is being done to determine an appropriate means of financing the installation**, which will **likely go to a community vote** at the August 2024 annual meeting should member funds be used.

COMMUNITY RELATIONS COMMITTEE (CRC)

by Kate Besse

Many thanks to Allie and Darren Graywolf for hosting our **first event of 2024 on Saturday, February 17: Oregon Wine Tasting**. Twenty-eight attendees enjoyed delicious appetizers provided by the CRC **(see photo below)**, along with plenty of fantastic Oregon wine brought by neighbors.

Chris Villiers and I are organizing the annual **Art Walk** on **Saturday May 4 (see Chris' article, next 3 pages, for more details).**

We're adding variety to this year's **Picnic in the Park** by hosting a **Pie Competition.** If you are interested in entering your homemade pie, **Please email me at kbesse@surfpines.org**. The CRC will provide hamburgers, hot dogs, and chips. We encourage you to **bring your family** and favorite salad, veggie tray, deviled eggs, baked beans, or dessert to share with everyone.

Are you interested in joining the CRC? Our **monthly meetings** are held at the **Meeting House,** the **1st Friday of the month, 10:30AM.** My daughter and I provide fresh baked goods, so you can grab a treat while we plan more incredible events for SP!

SATURDAY, MAY 4	**ART WALK**	**12-3:00PM**
SUNDAY, JUNE 30	**PICNIC IN THE PARK**	**1:00PM**
SATURDAY, JULY 13	**GARAGE SALE**	**8:00AM-3:00PM**
SATURDAY, AUGUST 17	**CRC POTLUCK DINNER**	**5:30PM**
SATURDAY, SEPTEMBER 14	**STREET PARTY**	**4:30-7:30PM**
SUNDAY, OCTOBER 27	**TRICK OR TREAT**	**3:00-5:00PM**
SUNDAY, DECEMBER 8	**FESTIVAL OF LIGHTS**	**6:30-7:30PM**
SATURDAY, DECEMBER 14	**HOLIDAY BUFFET DINNER**	**5:30-8:30PM**

CREATIVITY ON DISPLAY AT MAY 4 ART WALK - 12 ARTISTS & 6 LOCATIONS

by Chris Villliers

Handmade jewelry and cutting boards, watercolor and acrylic paintings, glass sculptures, original photography, and books by a local author will all be available on **Saturday, May 4 (12-3 PM)** when a dozen artists showcase their work during the **Annual Surf Pines Art Walk.** The **Gate House** at the neighborhood's south entrance will host 5 artists:

- ⭐ **Terry Andrews** (author)
- ⭐ **Gheri Fouts** (painter)
- ⭐ **Jenn Mark** (painter)
- ⭐ **Carol Riley** (painter)
- ⭐ **Mary Schlunegger** (acrylics, mixed media)

Seven other artists will be selling from their home studios in separate locations on Ocean Drive, Sea Breeze and Stellar Lane as outlined below. **Photos of works from 9 artists are shown on the next two pages.**

⭐**Kate Besse** will greet guests in her studio on Ocean Dr., where she creates abstract acrylic paintings.

⭐ **Chris Villiers** will open his photographic darkroom on Ocean Dr.; his wife **Cat Villiers** will also display her wire-wrapped and bead jewelry. Chris & Cat will welcome acrylic painter **Lauri Hodges**, who has several relatives in SP.

⭐ **Marie Dahlin** will exhibit classic watercolor paintings from her parent's (Bill & Christie Smith) home on Ocean Dr.

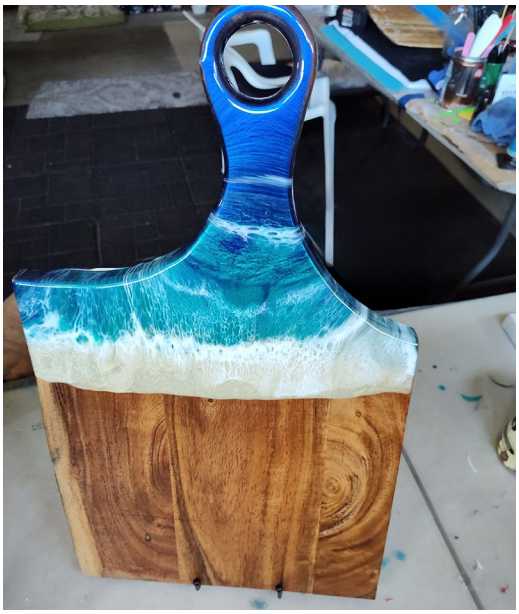
⭐ **Ken Beem** will display his unique glass animals at his home on Sea Breeze

⭐ **Cecilia Mushinskie** will be selling her wood-and-resin cutting boards, lazy Susan's and trays from her home on Stellar Lane.

Saturday May 4: Noon to 3 PM

CAROL RILEY

CAT VILLIERS



CECILIA MUSHINSKIE

GHERI FOUTS

Saturday May 4: Noon to 3 PM

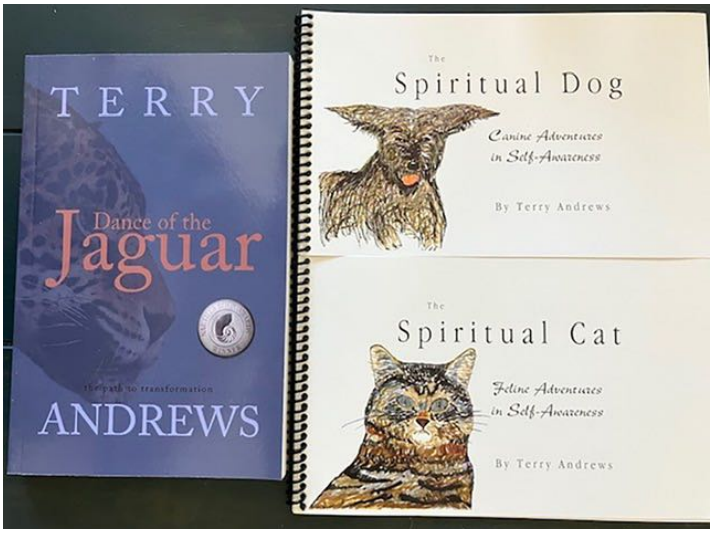
JENNIFER MARK

KATE BESSE

LAURI HODGES

MARIE DAHLIN

Saturday May 4: Noon to 3 PM



TERRY ANDREWS

KEN BEEM

MARY SCHLUNEGGER

Saturday May 4: Noon to 3 PM

FINANCE COMMITTEE UPDATE

by Debbie Boothe-Schmidt

The Finance Committee most recently met on February 16th, 2024. At that time, members included (in addition to myself): **Clare Hasler-Lewis**, **David Leibel**, **Cynthia Merriman**, **Randy Ricks**, **Tim Regan,** and **Debbie Eddy**.

Please see the **minutes that were attached to the March 15 BOD meeting information**. **Randy has since resigned** due to work obligations. He will be missed as he has a history with Roads & Grounds, as well as being a CPA.

The committee reviewed the 2nd quarter 2024 financials and concluded that we were on track to stay within our budget. However, **if spending levels continue in the second half of the year as experienced in our first six months of operations, we will likely experience a deficit for the year**. We need to be diligent in controlling expenses and watching our spending over the balance of the fiscal year ending 6.30.24.

Although the **equipment shed came in under budget this cost was not in the '23-24 FY budget**. Quarterly reserve dollars are being deposited to reserve accounts as required. **Due to the higher interest rate on CDs, we will double our budgeted interest income figure for the '23-24 FY.** The finance committee will be working on the FY 2024-2025 budget and has asked all committees to send in their planned expenses for next year as soon as possible. As your Finance Committee Chair, I believe the budgeting for the '24-25 FY will be extremely challenging as we strive NOT to increase our dues and Reserve costs.

"If spending levels continue in the second half of the year ...we will likely experience a deficit for the year."

A LITTLE HISTORY ON HOW THE SURF PINES ASSOCIATION HAS BEEN MANAGED OVER THE LAST 54 YEARS.

by Thomas Smith

The Surf Pines Association (SPA) has undergone significant management changes in its 54-year history. Initially run by volunteer members since its founding in 1969, SPA was able to manage this way as there were only 53 homes. After a devastating flood in late 1999, the BOD hired a professional Manager/Administrator, **Bill Barrons**, the former Clatsop Co. manager, for the role. This arrangement worked well until Bill relocated to California in late 2007. **Dan Bartlett**, who had replaced Bill as the County Manager, then took over as the SPA administrator until mid-2011. In July 2011, **Patrick Winguard** was hired, but left within the year for another position. **Debbie Eddy**, initially skeptical due to her lack of experience in legal matters and technical skills, took over as interim Administrator upon **Brian Radditz's** request. She has since continued in this role.

With **SPA's growth to over 350 homes, management has become more complex**, requiring BOD members to take on additional responsibilities over the years. Debbie's intention to retire prompted the search for a property management organization to assist her. SPA contracted with Fieldstone in 2022 to initially fulfill two responsibilities: 1) accounting, finance, collections, and 2) community management. Although excelling in accounting/finance, Fieldstone's Community Manager lacked understanding of SPA's local legal, technical, and administrative needs. Consequently, Debbie was asked to continue as the community manager until 2024 while a replacement was sought. At the September 2023 BOD meeting, it was decided to initiate Debbie's replacement in early 2024, the first step in ensuring a smooth transition and continuity in SPA's operations.

REAL ESTATE MARKET WATCH

by Julia Radditz, Principal Broker/Owner, TOTEM Properties LLC
Market data from Clatsop MLS (current as of 4/8/2024)

FOR SALE NOW IN SURF PINES
89899 Manion Drive: **$995,000**
89563 Lakeside Court: **$969,000**
89673 Manion Drive: **$745,000**

No homes or vacant land have sold in SP since January.
As of April 8, 2024, 140 homes were on the market in Clatsop County with 50 pending sale. By the end of March 2024, homes were **selling for an average of 96% of list price**.
The **median sale price in March 2024 was $510,000** vs. a median sale price in **March 2023 of $592,500,** representing a **13.9% decrease**. During that same period, average days on the market decreased from 116 to 107 days.

The March 2024 Consumer Price Index report showed us that **we all spoke too soon stating that interest rates would drop** considerably. That is not the case as **inflation has proved to be a more stubborn** issue than anticipated.

The real estate industry is also grappling with several future changes to our standards of practice, resulting from a **legal settlement with the National Association of Realtors**. At this time, the settlement is still subject to court approval, so the **outcome is not certain**. A likely result will be changes to the home buying process. **Realtors will likely be required to enter written representation and compensation agreements with their clients earlier in the process, and offers of cooperative compensation between Realtors may no longer be permitted in the MLS**. Changes are ahead! Smart consumers will continue to understand the value of working with a local real estate professional for the largest and most stressful financial transactions of their lives.

I'm looking forward to what the Spring real estate market will bring, and sending you all my best,

Julia Radditz

Stubborn inflation has kept interest rates high

WHO'S NEXT DOOR?

by Chris Villiers

Before moving to Surf Pines 12 years ago, Harold 'Mac' Brown fought organized crime in Boston, served as Alaska's attorney general, and opened for Johnny Cash on TV.

Now he spends his time hand carving ducks, hooded mergansers and other waterfowl from blocks of wood.

The son of an Army officer, Mac was born in Panama and raised in New England after his father was killed in the waning days of World War II. Following his dad's footsteps, Mac initially attended West Point (framed demerits still hang on his living room wall highlighting infractions such as "dirty boots" and not sleeping under the sheets on hot summer nights) and, along with his fellow cadets, marched in the inaugural parade for President John F. Kennedy. However, a childhood surgery prevented him from completing the physically rigorous Army Ranger training.

Transferring to the University of New Hampshire, he sang and played standup bass with the folk group Brandywine Singers. "We had the same manager as Peter, Paul and Mary," he recalls, noting that they recorded an album and toured with Johnny Mathis, Bill Cosby and the New Christy Minstrels. After spending 164 days on the road, "I felt I had to move on." During his final year of law school at Boston University, Mac met his wife Susan – an elementary school teacher at the time – and they celebrate their 54-wedding anniversary this year. Susan later went on to teach childhood education at the prestigious Wellesley College.'

Mac marched in the inaugural parade for President John F. Kennedy

Susan taught childhood education at Wellesley College

They celebrate their 54th wedding anniversary this year

Hired by the state attorney general's office, Mac led a grand jury investigation into how the mafia won government contracts to plow snowy New England roads. Yet, the couple wanted to spend more time in the wilderness. "My wife and I are adventurous," Mac explains. "We both like to fly fish." Answering an ad in an American Bar Association magazine, he took a job in the state attorney general's office in Ketchikan, Alaska. "I had never heard of the place," he says. Recalling criminal trials in rural Alaska, he notes all parties involved often had to fly in small planes to wrangle for court appearances. "On the same plane, you'd have the defendant, the public defender, the district attorney and the judge," he says. "It was a wonderful place and, yes, great fishing."

Mac held multiple legal positions in Alaska, including superior court judge, president of the state Bar Association, and appointed by the governor to serve a term as the state's attorney general. "As a judge, I presided over a large number of murders but no notorious cases that I recall," he says. "I found myself working seven days a week and little time for fishing."

Their two daughters were born in Alaska. One followed her father's career path and is an attorney in Anchorage; the other is the executive director of a nonprofit in Charlotte, N.C.

During nearly 40 years in Alaska, "we moved 11 times," says Susan, who found their retirement home in Surf Pines while visiting a friend in Astoria. "I had an immediate affinity for this place," she says. "There's no snow. You don't have to go shopping when it's 20 degrees."

EDITOR'S NOTE: Who's Next Door? is a feature profiling the people of Surf Pines. To recommend someone for a future profile, send an email to Chris Villiers at: villiersmedia@frontier.com